

REMARKS

Claims 1 to 8, 12 to 19, 23 to 28, and 30 are pending in the application, of which claims 1, 12, 23, and 28 are independent.¹ Favorable reconsideration and further examination are respectfully requested.

Initially, Applicant thanks the Examiner for the indication that claims 23 to 27 are allowable, and for the indication that the remaining claims recite allowable subject matter but for the outstanding rejections under 35 U.S.C. §101 and §112.

In this regard, claims 13 to 22 and 28 to 30 were rejected under the second paragraph of §112 for the reasons noted on page 2 of the Office Action. As shown above, Applicant has corrected the dependency of claim 13. Applicant has also amended claim 28 to recite additional structure, as requested in the Office Action.

Claims 1 to 22 and 28 to 30 were rejected under §101 for allegedly failing to provide a "practical application, a useful, concrete and tangible result". As shown above, Applicant has amended the independent claims to recite that "the value (ii) comprises part of a clock signal that is used to clock digital circuitry, (ii) is used to correct a clock signal for clocking digital circuitry, (iii) is used to schedule network traffic, or (iv) is used in a computer graphics application". These are all believed to be practical applications of the value and to constitute a useful, concrete and tangible result.

It was also said, in the Office Action, that a processor is not a specific physical structure. Applicant respectfully disagrees in that a processor (or, as claimed, a controller)

¹ The Examiner is urged to independently confirm this recitation of the pending claims.

is known to one of skill in the art to be one of many types of devices that is capable of receiving an input and of processing the input to generate an output. Accordingly, Applicant submits that the claims reciting a controller include structure.

For at least the foregoing reasons, the claims are believed to be directed to comply fully with §101. Accordingly, withdrawal of the §101 rejection is respectfully requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Please apply any fees or credits due in this case, including claims fees, to Deposit Account No. 06-105 referencing 10559-904001.

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Respectfully submitted,

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